

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

William Hudic : Bankruptcy Case No. 19-22920-TPA
Debtor(s) : Chapter 13

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated **May 28, 2021**, except as modified herein as checked below, is **CONFIRMED** in accord with **11 USC 1325**. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for **N/A** (which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

1. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted) unless the Debtor(s) successfully objects to the claim: Claimant and Claim No.: **Dollar Bank CL #9**

2. The secured claim(s) of the following Creditor(s), including all allowed post-petition payment changes filed prior to this Confirmation Order, shall govern: **Dollar Bank CL #7**.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. Objections to the Plan: This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. Review of Claims Docket and Objections to Claims. Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. Motions or Complaints Pursuant to §§506, 507, or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507* and 522 shall be filed within ninety (90) days after the claims bar date.

5. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority,

avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.

2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.

3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

6. Debtor(s) shall file an Amended Schedule I in the event of:

(a) Household income increases, because of new employment, promotion, or otherwise, since any increase in disposable income shall qualify for modification under *§1329* retroactive to the date of the increase.

(b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or any increase of 10% in household income. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation or increase in household income.

(c) Household income increases by 1% or more over most the recently filed Schedule I. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the increase in household income.

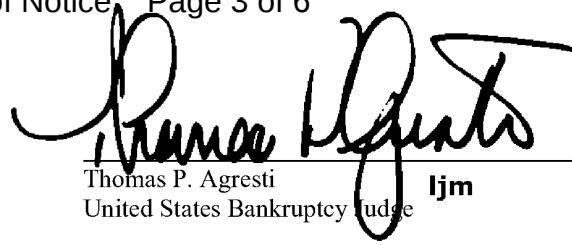
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.

8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.

10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: July 15, 2021



Thomas P. Agresti
United States Bankruptcy Judge
ljm

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
William S. Hudic
Debtor

Case No. 19-22920-TPA
Chapter 13

District/off: 0315-2
Date Rcvd: Jul 27, 2021

User: dkam
Form ID: pdf900

Page 1 of 3
Total Noticed: 35

The following symbols are used throughout this certificate:

Symbol Definition

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
- ## Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 29, 2021:

Recip ID	Recipient Name and Address
db	+ William S. Hudic, 119 2nd Street, Aspinwall, PA 15215-2939
cr	David Wetmore, 903 Virginia Street Extension, Pittsburgh, PA 15215
cr	+ Dollar Bank, FSB, 300 West Tuscarawas Street, Canton, OH 44702-1911
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
sp	+ Sean Carmody, Patberg, Carmody & Ging, Deutschtown Center, 801 Vinial Street, Third Floor Pittsburgh, PA 15212-5177
15092316	+ American Express, PO Box 981537, El Paso, TX 79998-1537
15104396	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15366870	+ David Wetmore, 903 Virginia Avenue Extension, Pittsburgh PA 15215-1719
15092319	+ Dollar Bank, PO Box 8469, Canton, OH 44711-8469
15112515	Dollar Bank, FSB, Three Gateway Center, 10 South, Pittsburgh, PA 15222
15109059	+ Dollar Bank, FSB, 300 W. Tuscarawas Street, Canton, OH 44702-1911
15109060	Dollar Bank, FSB, c/o David W. Raphael, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15210029	Dollar Bank, FSB, c/o Elizabeth L. Slaby, Esquire, Grenen & Birsic, PC, One Gateway Center, 9th Floor, Pittsburgh, PA 15222
15092320	+ Goldman Sachs Bank USA, PO Box 45400, Salt Lake City, UT 84145-0400
15092322	+ Key Recovery, 4910 Tiedeman Road, Cleveland, OH 44144-2338
15107829	+ Leroy Metz, II, Esquire, 535 Smithfield Street, Pittsburgh, PA 15222-2393
15132571	+ Metz Lewis Brodman Must O'Keefe LLC, c/o John R. O'Keefe, Jr., Esquire, 535 Smithfield Street, Suite 800, Pittsburgh, PA 15222-2305
15143076	Nissan Motor Acceptance, POB 660366, Dallas, TX 75266-0366
15109784	+ Northwest Bank, P.O. Box 337, Warren, PA 16365-0337
15092323	+ Northwest Savings Bank, 100 Liberty St, PO Box 788, Warren, PA 16365-0788

TOTAL: 20

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jul 27 2021 23:24:04	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15092317	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 27 2021 23:13:41	Capital One, PO Box 30281, Salt Lake City, UT 84130-0281
15103440	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 27 2021 23:13:41	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15092318	+ Email/PDF: pa_dc_ed@navient.com	Jul 27 2021 23:13:30	Dept of Ed/Navient, 123 Justison Street, 3rd Floor, Wilmington, DE 19801-5360
15130317	+ Email/Text: kburkley@berNSTeinlaw.com	Jul 27 2021 23:15:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15092321	+ Email/Text: bankruptcy@huntington.com	Jul 27 2021 23:15:00	Huntington National Bank, PO Box 1558, Columbus, OH 43216-1558
15096018	+ Email/Text: key_bankruptcy_ebnc@keybank.com	Jul 27 2021 23:15:00	KeyBank, N.A., 4910 Tiedeman Rd., Brooklyn, OH 44144-2338

District/off: 0315-2

User: dkam

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Date Rcvd: Jul 27, 2021

Form ID: pdf900

Total Noticed: 35

15119763	Email/PDF: pa_dc_claims@navient.com	Jul 27 2021 23:13:56	Navient Solutions, LLC on behalf of, Department of Education Loan Services, PO BOX 9635, Wilkes-Barre, PA 18773-9635
15129309	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 27 2021 23:13:29	Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
15092324	+ Email/PDF: gecsed@recoverycorp.com	Jul 27 2021 23:13:20	SYNCB/Levin Furniture, PO Box 965036, Orlando, FL 32896-5036
15092325	+ Email/PDF: gecsed@recoverycorp.com	Jul 27 2021 23:13:40	SYNCB/Sams, PO Box 965005, Orlando, FL 32896-5005
15128498	+ Email/PDF: gecsed@recoverycorp.com	Jul 27 2021 23:13:40	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15092597	+ Email/PDF: gecsed@recoverycorp.com	Jul 27 2021 23:13:40	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15101629	+ Email/Text: bankruptcy@huntington.com	Jul 27 2021 23:15:00	The Huntington Bank, P.O. Box 89424, Cleveland OH 44101-6424
15126201	Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM	Jul 27 2021 23:24:23	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457

TOTAL: 15

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nissan Motor Acceptance Corporation
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15122999	*	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
15366871	##+	State Workers Insurance Fund, 301 5th Avenue, Suite 230, Pittsburgh, PA 15222-2440

TOTAL: 1 Undeliverable, 2 Duplicate, 1 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 29, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 27, 2021 at the address(es) listed below:

Name	Email Address
Beth L. Slaby	on behalf of Creditor Dollar Bank FSB bslaby@grenenbirsic.com, mcupec@grenenbirsic.com
Beth L. Slaby	on behalf of Defendant Dollar Bank FSB bslaby@grenenbirsic.com, mcupec@grenenbirsic.com

District/off: 0315-2

User: dkam

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Date Recd: Jul 27, 2021

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Total Noticed: 35

Brian Nicholas

on behalf of Creditor Nissan Motor Acceptance Corporation bnicholas@kmllawgroup.com

Brian C. Thompson

on behalf of Debtor William S. Hudic bthompson@ThompsonAttorney.com
blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.co
m

Brian C. Thompson

on behalf of Plaintiff William S. Hudic bthompson@ThompsonAttorney.com
blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;jcastello@thompsonattorney.com;kfinke@thompsonattorney.co
m

David A. Scott

on behalf of Creditor Nissan Motor Acceptance Corporation scott@lg-law.com

David W. Raphael

on behalf of Creditor Dollar Bank FSB raphaeld@fnb-corp.com

Jeremy J Kobeski

on behalf of Creditor Dollar Bank FSB jkobeski@grenenbirsic.com, mcupec@grenenbirsic.com

Keri P. Ebeck

on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmevf@chapter13trusteedpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

Shawn N. Wright

on behalf of Creditor David Wetmore shawn@shawnwrightlaw.com
wrightshawn@hotmail.com;wrightshawn49@gmail.com;wrightshawncf@gmail.com;molly@shawnwrightlaw.com

TOTAL: 13